

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

June 15, 2006
Memorial Hall, 3rd Floor, City Hall

Members Present: Edward Clancy-Chairman, Allan White, Lawrence Roy, John Skarin, Dennis Demers and Michele Higgins-Associate Member, and Priscilla Ryder-Conservation Officer;

Absent: David Williams

Notice of Intent (Continuation of Public Hearing)

Donald Lynch Blvd. (Map 50, Parcel 7B of the Zoning Assessor's Maps) New England Development LLC

To construct a 60,000 sq. ft. retail space on a 7.09 acre parcel. Filling of an isolated wetland (non state jurisdiction) is proposed with a replacement area proposed on Donald Lynch Blvd. (Located between the motel and I-290) At the applicants request this item was continued to July 6, 2006 as we are still waiting for comments from the City Engineer.

Notice of Intent (Continuation of Public Hearing)

735 Boston Post Rd. - R.K. Associates, Inc.

Forest Lindwall of Mistry Associates was present and explained that the land owners would like to clear the vegetation from the rear of the Joy Asia's lot between Home Depot and the Staples building to allow for better visibility of the Staples building. Some of this clearing falls within the 100 foot buffer zone to the wetland. At the last meeting the Commission discussed what trees should be saved. Mr. Lindwall provided a plan showing the tree locations. They have agreed to just clear some of the trees and remove the existing stockade fence. The cleared area would be loamed and seeded.

The Commission asked if a meadow mix could be seeded in the area instead of grass, this would be more natural and provide more habitat value. They also asked that erosion controls be added to the plan. The area should be graded so flows stay on the site, there should be a slight depression in the cleared area to allow for this. The 20' buffer zone is part natural and part of the roadway between Home Depot and the Staples building, so minimal buffer zone restoration can occur. After some discussion the Commission closed the hearing and voted 5-0 to issue an Order of Conditions with the conditions noted above.

Notice of Intent

246 Maple St. - Bluefin Properties LLC

Doug Andrisack of Acton Survey and Scott Peterson from Blue Fin Properties were present. Mr. Andrisack explained the plan provided in the Notice of Intent. He reviewed the drainage design, pavement reconfiguration, parking lot redevelopment, detention basin and oil/sand separator. They discussed the need to clean the ditch. The Commission asked several questions and determined that the following information still needs to be provided for this project and should be presented at the next meeting on July 6th. These are as follows: need drainage calculations, groundwater elevations, detail on planting along the fence and ditch area, secondary access if needed, roof drainage outlet and outlet structure, catch basin cleaning and stormwater maintenance plan.

The Commission continued the hearing to July 6th so this information could be provided.

Notice of Intent (Continuation of Public Hearing)

215 Fitchburg St. - Assabet Valley Regional Vocational High School

Jon Deli Prescoli, Bruce Saluk of Bruce Saluk and Assoc. and Brian Butler of Oxbow Assoc. were all present. Mr. Saluk provided new plans dated 6-15-06. Jon Deli provided an overview of the project explaining that he is working with the Assabet Valley Regional Vocational High School to add the second ball field next to the one that was built several years ago. The plan before the Commission tonight is to finish the second field and clean up this area. Mr. Saluk explained the revised plan and showed the construction sequencing proposed on plan C-1. Mr. Clancy asked why they need to grade the existing detention basin, as it is stable now and the regrading would reduce its size. Mr. Saluk indicated that the drainage calculations indicate a smaller basin which is acceptable. He is waiting for confirmation from the city engineer as well. The Commission asked for more detail on the vernal pool monitoring program as well, and asked that the sequencing plan explicitly show the phases to be followed. The Commission with the applicants consent continued the hearing to the July 6th meeting.

Notice of Intent

Crowley Dr. (The Residences at Chestnut Ridge) - Metro Park Corp.

Mr. Deli Priscoli explained that the project is being taken over by Toll Brothers and with him on behalf of Toll Brothers were: Jerome Downson of CGC, Adam Barnsley and Eric Carlson both of Toll Brothers. In addition Attorney Arthur Bergeron; Brian Butler of Oxbow Associates and Al Corron from First Coloney Dev. were present on behalf of John Deli Priscoli.

Brian Butler explained the resource area and noted that this is the 6th Notice of Intent (NOI) for this area. The work proposed under this Notice of Intent all lies within the buffer zone only. The wetland resource areas were reflagged, the closest work is along the emergency access road where the road comes very close to the wetland area. The resource areas on the site a bordering vegetated wetland. One area on Pleasant St. where drainage improvements are being made, does

encroach on the 20' buffer zone, as the existing drainage pipes need to be upgraded.

Jerome Downson PE of CGC reviewed the plans and described the drainage design and discharge points. The existing detention basin near Fitchburg St. off Crowley Dr. will need to be enlarged a bit to accommodate the 100 year flood storms. The other discharge point is into the wetland across lower Pleasant St. The Commission asked whether the existing trout stream in this location could accommodate these flows. There was much discussion about this discharge location and water quality improvements needed to maintain this quality stream. Water temperature is important to trout stream habitat. Mr. Butler explained that he had done some study of water temperature issues. The water draining from the site will travel through pipes under ground. By the time it discharges and gets to the stream the water temperature is cooled because the pipes are cool. This analysis was done at Hopping Brook in Holliston and concluded that there is no increase in temperature for discharge waters.

There was a long discussion about the wall construction which in some places are proposed to be 22 ft. tall. The construction process and type was discussed, more detail on wall design was required, so the Commission can ascertain the impact of the wall construction on the adjacent wetland, how deep are the footings, how are walls assembled, etc. Soil borings in the wall locations should be provided to determine what type of excavation would be required.

After much discussion, the Commission asked that the following information be provided at the next meeting: Detail wall design and footing requirements, sequencing plan for the reconstruction of detention basin #1 and construction phasing plan, the bike path connection should be shown, the overland drainage from Rte. 85 connector road needs to be inspected and the landscaping plan needs to be provided. The Commission continued the hearing to July 6th to allow the applicant time to prepare these additional items.

Notice of Intent (Continuation of Public Hearing)

The City of Marlborough Dept. of Public Works

Proposes to install a new drainage culvert and drainage pipe beside Glen St. to alleviate existing flooding problems. At the applicants request this item was continued to the August 10th meeting.

Notice of Intent (Continuation of Public Hearing)

Rte. 20 and Glen St. - Marlborough/Northborough Land Realty Trust

Proposes to construct a retail store with associated parking utilities and drainage next to a wetland area. At the corner of Glen St. & Rte. 20. At the applicants request this item was continued to the August 10th meeting.

Certificate(s) of Compliance

- DEP 212-976 and DEP 212-931 109 Lakeshore Dr. - The first project is the wall construction, the second project is the house construction. Both have been completed and have satisfied the Order of Conditions. The Commission voted 5-0 to issue full Certificates of Compliance for both of these Orders.

Extension Permits

- DEP 212-762 Villages at Crane Meadow – as this project is almost complete and should be finished by mid summer of next year, the Commission voted unanimously 5-0 to issue a one year extension for this project. The Commission also agreed that where split rail fencing was not proposed, lolly columns could be used to mark the 20' buffer zone.
- DEP 212-847 Devonshire at 495 Center- As this project has not yet started and no new rules or regulations have been issued since the Order of Conditions was issued, the Commission agreed and voted unanimously 5-0 to issue a one year extension for this project.

Enforcement Order

- Ratification of the Enforcement Order issued to the proposed 99 Restaurant site. The Commission voted 5-0 to ratify the enforcement Order for this project.
- Crowley Dr. Violation - Ms. Ryder noted that there was muddy discharge leaving the Crowley Dr. site and a fine of \$100 was issued. Corrective action has been taken. The Commission voted 5-0 to ratify the enforcement letter issued.

Discussion

- 197 Stow Rd. - Limited Development - Comments to Planning Board. Ms. Ryder showed the Commission the proposed plans. Comments will be sent to the Planning Board.

Correspondence

The Commission reviewed the following correspondence and unanimously voted to approve and place on file:

- Letter from Sanford Ecological Services, Inc. dated April 25, 2006, RE: Results of spring water sampling for the Fairbanks Blvd. Project
- DEP 212-756 Stream Monitoring/Boston Scientific Spring 2006 Report dated 4/25/2006
- Letter from Tennessee Gas Pipeline, dated May 3, 2006, RE: System Integrity Maintenance Projects.
- Letter to American Greenways Program, dated May 30, 2006 RE: In Support of Four Town Link (Kodak Application)
- Ft. Meadow Commission - Letter to abutters dated June 5, 2006 RE: Ft. Meadow Reservoir Herbicide Treatment at Blaiswood Ave. - Wednesday, June 14, 2006

- Letter to Dan Cleary dated June 6, 2006 RE: Wetland Enforcement Order - \$100 fine - The Beacon Parcel-Corner of Rte. 20 and Glen St. Proposed 99 Restaurant Location
- Letter to Dan Cleary dated June 8, 2006 RE: Wetlands Violation - \$100 Fine - Cease and Desist-The Beacon parcel.

Other Business

- Linda Butler an abutter to the Felton Conservation land has indicated she would pay for a portion of the tree and vine clearing along the wall on Elm St. to help bring back the field. She would pay for half the cost of a contractor if the Commission could pay the other half. The Commission asked for more details on the amount, but said in general this sounded like a good idea and they would support it.

Adjournment - There being no further business, the meeting was adjourned at 10:25 PM

Respectfully submitted,

Priscilla Ryder
Conservation Officer